

Copy of the Pending Claims:

This listing of claims is a courtesy copy of the pending claims. No amendments have been made in this Reply.

Listing of Claims:

- 1 1. (original) A method for establishing headroom for a mobile station operating in a
2 wireless communication system comprising the steps of:
3 determining a communication channel variance condition; and
4 establishing a headroom value based on the communication channel variance
5 condition.
- 1 2. (original) A method according to claim 1 wherein a mobile station performs the
2 steps of determining and establishing.
- 1 3. (original) A method according to claim 2 wherein the mobile station determines a
2 maximum data rate based on the headroom value and sends the maximum data rate to
3 a base station.
- 1 4. (original) A method according to claim 2 wherein the mobile station determines a
2 maximum data rate based on the headroom value and sends a rate adjustment request
3 to a base station.
- 1 5. (original) A method according to claim 2 further comprising the steps of:
2 detecting a battery condition of the mobile station; and
3 modifying the headroom value based on the battery condition.

1 6. (original) A method according to claim 5 wherein the step of modifying the
2 headroom value based on the battery condition comprises:
3 determining if the battery condition relates to a low battery level; and
4 if the battery condition relates to a low battery level, increasing the
5 headroom value.

1 7. (original) A method according to claim 2 wherein the step of determining a
2 communication channel variance condition includes measuring a variance in a primary
3 pilot power.

1 8. (original) A method according to claim 1 wherein a base station performs the
2 steps of determining and establishing.

1 9. (original) A method according to claim 8 wherein the step of determining a
2 communication channel variance condition includes examination of an inner loop
3 power control bit stream.

1 10. (original) A method according to claim 8 further comprising the step of:
2 sending the headroom value to the mobile station.

1 11. (original) A method according to claim 8 further comprising the step of:
2 determining a data rate assignment for a mobile station using the headroom
3 value and sending the data rate assignment to the mobile station.

1 12. (original) A mobile station comprising:
2 means for determining a communication channel variance condition; and
3 means for establishing a headroom value based on the communication channel
4 variance condition.

1 13. (original) A mobile station according to claim 12 further comprising:
2 means for determining a maximum data rate based on the headroom value; and
3 means for sending the maximum data rate to a base station.

1 14. (original) A mobile station according to claim 12 further comprising:
2 means for determining a maximum data rate based on the headroom value; and
3 means for sending a rate adjustment request to a base station.

1 15. (original) A mobile station according to claim 12 further comprising:
2 means for detecting a battery condition of the mobile station; and
3 means for modifying the headroom value based on the battery condition.

1 16. (original) A wireless communication system comprising:
2 a base station;
3 at least one mobile station;
4 means for determining a communication channel variance condition; and
5 means for establishing a headroom value based on the communication channel
6 variance condition.

1 17. (original) A wireless communication system according to claim 16 further
2 comprising:
3 means for determining a data rate based on the headroom value.

1 18. (original) A wireless communication system according to claim 17 further
2 comprising:
3 means for sending the data rate between the base station and said at least one
4 mobile station.

1 19. (original) A wireless communication system according to claim 16 further
2 comprising:
3 means for determining a battery condition of said at least one mobile station; and
4 means for modifying the headroom value based on the battery condition.

1 20. (original) A wireless communication system according to claim 19 further
2 comprising:
3 means for determining a data rate based on the headroom value; and
4 means for sending the data rate between said at least one mobile station and the
5 base station.